

**MINUTES**

**OF THE**

**NOVEMBER 15, 2018 REGULAR BUSINESS MEETING**



**OF THE**

**OKLAHOMA WORKERS' COMPENSATION COMMISSION**

## **STATEMENT OF OKLAHOMA OPEN MEETING ACT COMPLIANCE**

Notice of this Regular Meeting was filed with the Secretary of State's office on Monday, November 13, 2017 at 9:05 a.m., in compliance with the Open Meeting Act.

The agenda was posted at least 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, the Commission's principal office.

### **MINUTES OF THE NOVEMBER 15, 2018 REGULAR BUSINESS MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION**

The members of the Oklahoma Workers' Compensation Commission met at 1915 N. Stiles Ave., 2<sup>nd</sup> floor, Oklahoma City, Oklahoma, on November 15, 2018.

Members present: Chairman Mark Liotta, Commissioner Jordan Russell, and Commissioner Megan Tilly.

Others Present: Executive Director Hopper Smith, WCC; Dana Esparza, WCC; Collin Fowler, WCC; Dr. Jay Cannon, WCC; Eric Russell, WCC; Alisha Davidson, CompSource and James Lawson, WCC.

Chairman Liotta expressed appreciation for those in attendance. After the roll was taken, he announced the presence of a quorum. The meeting was called to order at approximately 1:30 p.m.

#### **1. Approval of Minutes**

Chairman Liotta presented the minutes of the October 31, 2018 and November 1, 2018, public meetings for approval.

**Motion:** Commissioner Tilly moved to approve the minutes of the October 31, 2018 and November 1, 2018, public meetings.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, Commissioner Tilly.

**The motion carried.**

#### **2. Discussion and Consideration of Reducing or Releasing the Security Deposit of Eagle Picher Industries, Inc. , a Former Own Risk Employer Permit #3794**

The Commission considered reducing or releasing the security deposit of Eagle Picher Industries, Inc., a former own risk employer.

James Lawson was recognized, reported, gave his recommendation and responded to questions of the Commissioners.

**Motion:** Commissioner Russell moved partially release the security deposit of Eagle Picher Industries, Inc., reducing to \$25,000 per James Lawson's recommendation.

**Second:** Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**3. Discussion and Consideration of Reducing or Releasing the Security Deposit of George Fischer Central Plastics, LLC, a Former Own Risk Employer Permit #15210**

The Commission considered reducing or releasing the security deposit of George Fischer Central Plastics, LLC, a former own risk employer.

James Lawson was recognized, reported, gave his recommendation and responded to questions of the Commissioners.

**Motion:** Commissioner Tilly moved to release George Fischer Central Plastics, LLC Security Deposit, per James Lawson's recommendation.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**4. Discussion and Consideration of Reducing or Releasing the Security Deposit of HHS Foundation (FKA Hillcrest Healthcare System), a Former Own Risk Employer Permit #18899**

The Commission considered reducing or releasing the security deposit of HHS.

James Lawson was recognized, reported, gave his recommendation and responded to questions of the Commissioners.

**Motion:** Commissioner Tilly moved to reduce HHS Foundation's security deposit to 200K per James Lawson's recommendation.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**5. Discussion and Consideration of Reducing or Releasing the Security Deposit of Bank of Oklahoma, a Former Own Risk Employer Permit #17866**

The Commission considered reducing or releasing the security deposit of Bank of Oklahoma, a former own risk employer.

James Lawson was recognized, reported, gave his recommendation and responded to questions of the Commissioners.

**Motion:** Commissioner Tilly moved to reduce Bank of Oklahoma's security deposit to \$200,000 per James Lawson's recommendation.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**6. Consent Agenda for Travel Vouchers Currently Outstanding:**

Title 85A O.S. § 23 states that any Commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act.

The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission considered a vote to approve the currently outstanding vouchers. All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today's meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and voted upon separately.

**Motion:** Commissioner Tilly moved to approve all vouchers as presented.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, Commissioner Tilly.

**The motion carried.**

**7. Proposed Approval of Dates for the Commission's 2019 Regular Meeting Schedule**

Under 25 O.S. § 311, all public bodies shall give notice in writing to the Secretary of State by December 15 of each calendar year of the schedule showing the date, time and place of the regularly scheduled meetings of such public bodies for the following calendar year. The Commission considered scheduling the following dates for its 2019 regular meeting schedule:

**Business Meeting  
Thursdays- 1:30 p.m.**

January 10, 2019  
February 14, 2019  
March 14, 2019  
April 18, 2019  
May 16, 2019  
June 20, 2019  
July 18, 2019  
August 15, 2019  
September 19, 2019  
October 17, 2019  
November 20, 2019  
December 19, 2019

**Appeals Hearing  
Fridays- 9:00 a.m.**

January 18, 2019  
February 22, 2019  
March 22, 2019  
April 19, 2019  
May 17, 2019  
June 21, 2019  
July 19, 2019  
August 16, 2019  
September 20, 2019  
October 18, 2019  
November 21, 2019  
December 20, 2019

**Motion:** Commissioner Tilly moved to approve the dates modifying the January 18, 2019 date to January 25, 2019 and the November 20 and 21, 2019 to November 21 and 22, 2019.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**8. Proposed Approval of Dates for the Physician Advisory Committee's 2019 Regular Meeting Schedule**

Under 25 O.S. § 311, all public bodies shall give notice in writing to the Secretary of State by December 15 of each calendar year of the schedule showing the date,

time and place of the regularly scheduled meetings of such public bodies for the following calendar year.

Under Title 85A O.S. § 17(E), “[m]eetings of the Physician Advisory Committee shall be called by the Commission but held at least quarterly.” The Commission considered the following dates for the Physician Advisory Committee’s 2019 regular meeting schedule:

**Regular Meeting  
Friday- 2:00 p.m.**

March 29, 2019  
June 14, 2019  
September 6, 2019  
November 8, 2019

Collin Fowler was recognized, reported, and responded to questions of the Commissioners.

**Motion:** Commissioner Tilly moved to approve the dates as proposed.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**9. Discussion and Consideration of Current Commission Policies**

The Commission discussed and considered the following current Commission policy or policies and determine if any updates are necessary: (1) WCC-6, Education and Training Policy.

Collin Fowler was recognized, reported, and responded to questions of the Commissioners.

**Motion:** Commissioner Russell moved to approve the WCC-6, Education and Training Policy.

**Second:** Chairman Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly.

**The motion carried.**

**10. Discussion of Potential Upcoming Legislation**

The Commission's Legislative Liaison and other Commissioners discussed potential legislation affecting the Commission.

Commissioner Russell was recognized, and discussed title 85A clean-up bill. No action was taken on this agenda item.

**11. Announcements**

The Commission's next special business meeting is on December 7, 2018. The Commission's next regularly scheduled business meeting is on December 13, 2018. The Commission's next regularly scheduled appeals meeting is on November 30, 2018.

**ADJOURNMENT.....Chairman Mark Liotta**

***Motion:*** Commissioner Tilly moved adjourn.

***Second:*** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

***The motion carried. The meeting adjourned.***